

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ROOSEVELT GLENN, JR.,

Case No. C12-1940-MJP-JPD

Plaintiff,

V.

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

## REPORT AND RECOMMENDATION

Defendant.

Plaintiff brought this action to seek judicial review of the denial of his application for disability benefits by the Commissioner of the Social Security Administration. Dkt. 3. The parties have stipulated that this case should be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). Dkt. 28.

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings, including a new hearing and new decision. On remand, the administrative law judge shall: 1) update the treatment evidence on plaintiff's medical conditions applicable to the relevant period from January 15, 2006 through February 25, 2010; 2) further evaluate plaintiff's depression and obesity; 3) further evaluate plaintiff's subjective allegations; 4) further evaluate the medical evidence including the

1 opinions from the Washington State Department of Social and Health Services; 5) reassess  
2 plaintiff's residual functional capacity prior to February 26, 2010; 6) continue with the remaining  
3 steps of the sequential evaluation, obtaining supplemental vocational expert evidence regarding  
4 the erosion of the occupational base caused by plaintiff's assessed limitations, if necessary. The  
5 ALJ shall not disturb or reopen the partially favorable decision finding plaintiff disabled  
6 beginning February 26, 2010.

7 Upon proper application, the Court will consider whether reasonable attorney's fees and  
8 costs should be awarded pursuant to 28 U.S.C. § 2412(d). A proposed order accompanies this  
9 Report and Recommendation.

10 DATED this 9th day of September, 2013.

11   
12 JAMES P. DONOHUE  
13 United States Magistrate Judge  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24